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Serial No.: 10/036,330
Examiner: D. Cobanoglu
Title: HEALTH MANAGEMENT SYSTEM, HEALTH MANAGEMENT APPARATUS, SERVER AND HEALTH
MANAGEMENT METHOD
Page 9 of 11

REMARKS/ARGUMENTS

Reconsideration is requested in view of the following remarks. Claims 1-3, 6, 9-11, 14, 17, 23-25 and 27 have been editorially revised. Support for the revisions can be found in Figure 1 and on page 6, line 36 to page 7, line 7, page 13, lines 14-17 and lines 20-24, and page 15, lines 24-36 of the originally filed specification.

Claims 8, 16, 22 and 30 have been canceled without prejudice. Claims 31-36 have been added. Claims 1-7, 9-15, 17-21, 23-29 and 31-36 are pending in the application.

Claim Objections

Claim 27 is objected to as incorrectly depending from claim 22. Claim 27 has been editorially revised to depend from claim 23. This objection is therefore overcome.

Claim Rejections – 35 USC §102

Claims 1-30 are rejected under 35 U.S.C. §102(b) as unpatentable over Dyer et al. (US 4,828,257). Applicants respectfully traverse this rejection.

Dyer et al. discloses an exercise system that includes each exercise station such as a shoulder press exercise station and a pull-down exercise station, and a central controller comprising a computer. Further, the central controller transmits/receives information with respect to each exercise station (col. 3, line 57 to col. 4, line 3). Further, Dyer et al. discloses that the pulse rate to be health-related information of a user is detected through a lever of an apparatus (col. 6, lines 24-30). A plurality of exercise stations and the central controller are present in one apparatus, and are merely connected electrically in the invention of Dyer et al.

In contradistinction, the system recited in claim 1 includes a healthcare apparatus and a server that are connected via a computer network such as the Internet. The healthcare apparatus of claim 1 allow the healthcare apparatus and the server to be at different locations at the same time. Thus, the structure recited in claim 1 allows the healthcare of a plurality of users to be performed simultaneously using a plurality of healthcare apparatuses with a single server. This is clearly different from the invention of

Serial No.: 10/036,330
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MANAGEMENT METHOD
Page 10 of 11

Dyer et al. in which a single central controller merely manages exercise stations in a single apparatus use only by one user.

Further, the invention of Dyer et al. operates to control a single exercise machine enabling a plurality of different exercises only for that exercise machine. This feature is unlike the invention of claim 1 that allows healthcare apparatus and the central controller (server) to be connected simultaneously via a computer network or to be placed at positions remote from one another.

Figure 5 of Dyer et al. discloses an example in which a computer 150 that functions as a central controller is connected to another computer via a modem. The central controller and the exercise stations however, are connected via a cable (col. 10, line 64 to col. 11, line 6). Thus, it is apparent that Dyer et al. neither describes nor suggests that the central controller and the exercise stations are connected via a computer network.

Dyer et al. also describes that the exercise program of a user is updated automatically based on the performance history of the user, and pacing information and coaching instructions are provided to the user (col. 3, lines 11-21 and lines 65-67). Thus, exercise menu information and advice information are provided to the user. Dyer et al. however, neither describes nor suggests that warning is performed with respect to the user when a limit value set in user information, such as a heart rate, is exceeded, such as recited in claim 1. This claimed feature advantageously allows a user to avoid a dangerous situation, so that the user can exercise with peace of mind.

For at least these reasons, claim 1 is patentable over Dyer et al. Dyer et al. neither teaches nor suggests the foregoing features of claim 1. Claims 9, 17 and 23 recite features corresponding to those of claim 1 discussed above. Thus claims 9, 17 and 23 are also patentable over Dyer et al. for the same reasons. Claims 2-7, 31 and 32 are patentable over Dyer et al. since they depend ultimately from claim 1 that is allowable. Claims 10-15, 33 and 34 are patentable over Dyer et al. since they depend ultimately

Serial No.: 10/036,330
Examiner: D. Cobanoglu
Title: HEALTH MANAGEMENT SYSTEM, HEALTH MANAGEMENT APPARATUS, SERVER AND HEALTH
MANAGEMENT METHOD
Page 11 of 11

from claim 9 that is allowable. Claims 18-21 are patentable over Dyer et al. since they depend ultimately from claim 17 that is allowable. Claims 24-29, 35 and 36 are patentable over Dyer et al. since they depend ultimately from claim 23 that is allowable.

Favorable reconsideration in the form of a Notice of Allowance is requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone Applicants' primary attorney-of-record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



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